

INTRODUCTION AND SCOPE

In October 1997, the Office of the County Auditor issued a report relating to the policies and procedures used by the Circuit Court to account for juror fees. Our October 1997 audit was performed to review changes made due to the transfer of responsibility for payment of jurors from the State to the County, which took place in July 1995. Prior to July 1995, the State maintained the records and a separate bank account under the name of the Clerk of the Court, and kept cash needed to pay jurors in the Clerk's safe. When the Jury Commissioner became a County employee, a new bank account was established under the name of the Administrative Judge of the Circuit Court, the records were transferred to the Court Administrator, and the cash was moved to a safe in the Sheriff's Department. Our October 1997 audit also included a review of the one day/one trial system, including its split fee aspect, which began in July 1995, and the generous jurors program, which began in May 1996. Our report included eight recommendations. As part of our audit process, we perform follow-up reviews after an audit is completed to determine the current status of the original report recommendations and to review existing operations.

Our findings and recommendations are presented in the pages that follow.

FOLLOW-UP OF OCTOBER 1997 RECOMMENDATIONS

We performed an audit of the policies and procedures relating to juror fees and issued a report in October 1997. The contents of that report included eight recommendations for those areas that we felt needed improvement. The scope of this follow-up is to examine the status of implementation of those recommendations.

We are pleased to report that two of the original eight recommendations have been fully implemented covering such areas as additional security when County personnel obtain cash from the bank and the use of a restrictive endorsement on checks received. The following addresses those recommendations not yet fully implemented.

Recommendation #1 (1997):

The Jury Commissioner prepare direct payment claims every month, instead of just when the balance in the bank account is low. The DPCs should be for no more than \$10,000, instead of the current average of \$30,000.

Current Status:

The Court maintains a bank account primarily to pay persons serving as jurors. Periodically, this account is replenished from monies received from the County based upon reimbursement requests submitted by the Court. Direct Payment Claims are prepared by the Jury Commissioner when cash in the safe is low and more cash is needed to pay the jurors. Historically, they have not been prepared on a consistent interval. They have been prepared monthly, bimonthly and even after three months. Amounts requested have been both under and over, but usually over, \$10,000. We reviewed Direct Payment Claim #107862, dated September 24, 1999 for \$22,110. This claim covered three months of activity, from June through August 1999, and included 52 days. When reviewing this claim, we found four instances where amounts paid jurors and recorded on the juror sign-in sheets were not included. These occurrences amounted to \$700 in unreimbursed juror fees paid. In addition, we found a calculation error on one of the sign-in sheets. These unintentional mistakes would be less likely to occur if the Direct Payment Claims were prepared in a more timely manner.

We therefore continue to recommend that:

1. *Direct Payment Claims be prepared monthly, for an amount not greater than \$10,000.*

58 Recommendation #3 (1997):

59 *Bank reconciliations be reviewed and approved by the Court Administrator.*

61 Current Status:

62 Bank reconciliations are prepared by the Secretary to the Jury Judge. The Secretary also prepares
63 the checks and maintains the check register. After the bank reconciliation is prepared, it is returned
64 to the Jury Commissioner and kept in the safe. Neither the Court Administrator nor the Jury
65 Commissioner reviews or approves the bank reconciliations.

66 We therefore continue to recommend that:

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72 2. *Bank reconciliations be reviewed and approved by the Court Administrator.*

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75 Recommendation #4 (1997):

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77 *In the absence of the Jury Commissioner, the Court Administrator verify and sign the safe*
78 *reconciliation report. The report should be prepared daily after juror fees have been paid.*

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80 Current Status:

81 The Secretary to the Jury Judge also prepares the safe reconciliation report. The Jury Commissioner
82 verifies the report. We found no instances in which the Jury Commissioner was absent and the Court
83 Administrator had to verify and sign the report. However, the report is not prepared daily. It is
84 usually prepared weekly, on Fridays.

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86 We therefore continue to recommend that:

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89 3. *The safe reconciliation report be prepared daily after juror fees have been paid.*

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92 Recommendation #6 (1997):

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94 *Interest received by the checking account be deposited to the Department of Finance quarterly.*

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96 Current Status:

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98 One deposit was made to the Department of Finance in March 1999 for interest earned during
99 calendar years 1995, 1996, 1997 and 1998. Interest for these four years totaled \$924. No quarterly
100 deposits have been made.

We therefore continue to recommend that:

4. *Interest received by the checking account be deposited to the Department of Finance quarterly.*

Recommendation #7 (1997):

Fees charged on the interest-bearing account be analyzed to determine if they are accurate and necessary. Consideration should be given to switching to another bank if the fees can be avoided.

At the time of our audit the Administration's Response was as follows:

The Department of Finance will include this interest-bearing account with other County bank accounts under the County's master banking relationship. The fees currently charged against this account may be lower than they are currently, as the County's master banking relationship is competitively bid. The remaining fees would be absorbed by the County as it does with its other accounts. The absorption of fees could be considered a reasonable accommodation, as the interest earned on the account is to be turned over to the County.

Current Status:

The Administration's Response has not been implemented. The juror fees checking account continues to incur fees which are greater than the interest earned.

We therefore recommend that:

5. *The Administration's Response to our October 1997 Recommendation #7 be implemented.*

Recommendation #8 (1997):

Bailiffs be paid when the number of days worked reaches ten so that inadvertent mistakes are less likely.

Current Status:

The daily rate for bailiffs has increased from \$40 to \$50 since our last audit. We reviewed a sample of payments to bailiffs during FY 2000 and found that they are generally paid every two or three months, often for more than ten days. We did not find any instances in which bailiffs were paid incorrect amounts as we had in our October 1997 audit.

145 We therefore continue to recommend that:

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148 6. *Bailiffs be paid when the number of days worked reaches ten so that inadvertent*
149 *mistakes are less likely.*
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January, 2003

The County Council and County Executive
of Howard County, Maryland

Pursuant to Section 212 of the Howard County Charter and Council Resolution 22-1985, we
have conducted a follow-up review of selected activities of the

CIRCUIT COURT
JUROR FEES

and our report is submitted herewith. The scope of our examination related specifically to a review
of the recommendations made in our October 1997 report and a review of current operations. The
body of our report presents our findings and recommendations.

The contents of this report have been reviewed with the Chief Administrative Officer and the
Administrative Judge of the Circuit Court. We wish to express our gratitude to the Circuit Court
for the cooperation and assistance extended to us during the course of this engagement.

Ronald S. Weinstein, C.P.A.
County Auditor

Lisa L. Geerman, C.P.A.
Auditor-in-Charge